

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ZACHARIAH ROBERTSON *individually and  
on behalf of all others similarly situated,*

*Plaintiff,*

v.

ENBRIDGE (U.S.) INC.,

*Defendant.*

Civil Action No. 2:19-cv-1080

Hon. William S. Stickman, IV

**OMNIBUS ORDER OF COURT**

Plaintiff Zachariah Robertson initiated this action on behalf of himself and others similarly situated, alleging violations by Defendant Enbridge (U.S.) Inc. (“Enbridge”) of both the Pennsylvania Minimum Wage Act and the federal Fair Labor Standards Act. (ECF No. 1). The case was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Rules of Court 72.C and 72.D. Motions to Intervene by Cleveland Integrity Services, Inc. (“CIS”) and Cypress Environmental Management-TIR, LLC. (“CEM-TIR”) were granted. (ECF No. 111). Currently pending before the Court are Objections to Magistrate Judge Lenihan’s Reports and Recommendations regarding motions to compel arbitration. They are as follows:

1. Defendants Enbridge and CIS moved to compel opt-in Plaintiffs Gordon Lunsted, Jr. and James Kozelouzek to arbitrate their claims. (ECF Nos. 86 and 117). Magistrate Judge Lenihan recommended that the motions be granted, and the case stayed pending the outcome of arbitration. (ECF No. 176). Plaintiffs filed Objections (ECF Nos. 192, 203, and 206), and Defendants filed a Response (ECF Nos. 212 and 214).

2. Defendant CEM-TIR moved to compel arbitration over all claims of opt-in Plaintiff John C. Parks II (“Parks”). (ECF No. 121). Magistrate Judge Lenihan recommended that the motion be granted, and the case stayed pending the outcome of arbitration. (ECF No. 177). Plaintiff filed Objections (ECF Nos. 192, 203, and 206), and Defendant filed a Response (ECF No. 213).

After its *de novo* review of the record and consideration of the parties’ pleadings, the Court wholeheartedly agrees with the analysis and disposition of the motions set forth by Magistrate Judge Lenihan in her Reports and Recommendations. Therefore, the Court overrules all of the Objections lodged by Plaintiffs. Magistrate Judge Lenihan’s Reports and Recommendations (ECF Nos. 176 and 177) are **HEREBY ADOPTED** as the Opinions of the Court.

**AND NOW**, this 24<sup>th</sup> day of September 2020, **IT IS HEREBY ORDERED** that the Motions to Compel Arbitration as to Gordon Lunsted, Jr., James Kozelouzek, and John C. Parks II (ECF Nos. 86, 117, and 121) are **GRANTED**. Plaintiffs Gordon Lunsted, Jr., James Kozelouzek, and John C. Parks II are referred to arbitration and this case is **STAYED** as to these Plaintiffs pending the outcome of arbitration pursuant to 9 U.S.C. § 3.

BY THE COURT:

A handwritten signature in black ink, appearing to read "W S Stickman IV", written over a horizontal line.

WILLIAM S. STICKMAN, IV  
UNITED STATES DISTRICT JUDGE